

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND J. CAREY,

Plaintiff,

Case No. 11-10818

v.

Hon. John Corbett O'Meara
FOLEY & LARDNER, LLP,

Defendant.

**ORDER REINSTATING
COSTS DISALLOWED BY THE CLERK**

Before the court is Defendant's motion to reinstate costs that were disallowed by the Clerk of the Court. Defendant seeks \$1,324.40 in transcript costs for the Deposition of Stanley Jaspan. The clerk disallowed the costs because the transcript was not attached to Defendant's briefs. However, the transcript had already been filed by Plaintiff in support of his motion for partial summary judgment. The transcript was relied upon by both parties and was "necessarily obtained for use in the case." 28 U.S.C. § 1920(2). See Def.'s Bill of Costs at 2; Lahar v. Oakland Cty., 2008 WL 239830 (E.D. Mich. Jan. 29, 2008).

Accordingly, IT IS HEREBY ORDERED that Defendant's motion to

reinstate \$1,324.40 in costs disallowed by the Clerk is GRANTED.

s/John Corbett O'Meara
United States District Judge

Date: October 10, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, October 10, 2013, using the ECF system.

s/William Barkholz
Case Manager